

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: David Domnitz : Date: April 7, 2000  
Serial Number: : Group Art Unit:  
Attorney Reference Number: P00043501 : Examiner:  
Filed: : Attorney:  
Title: APPARATUS AND METHOD FOR  
DELIVERING INFORMATION TO AN  
INDIVIDUAL BASED ON LOCATION  
AND/OR TIME : John C. Smith  
: 4800 N. Federal Highway, Suite A-207  
: Boca Raton, FL 33431  
: (561) 394-4666

**VERIFIED STATEMENT OF SMALL ENTITY STATUS UNDER 37 CFR 1.9(f)**  
**AND 37 CFR 1.27(b) -- INDEPENDENT INVENTOR**

The Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

I, David Domnitz, signing below, hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the United States Patent and Trademark Office in:

XXX the specification filed herewith with title as listed above.  
\_\_\_\_ the application identified above.  
\_\_\_\_ the patent identified above.

I have not signed, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

XXX no such person, concern or organization exists  
\_\_\_\_ each person, concern or organization is listed below

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

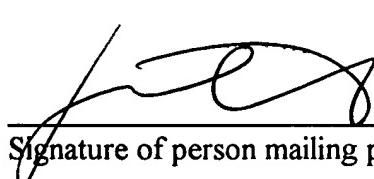
  
\_\_\_\_\_  
David Domnitz

4-7-00  
Date

EXPRESS MAIL - MAIL LABEL NO: EL274019282US

DATE OF DEPOSIT: 4-10-00

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231

  
\_\_\_\_\_  
Signature of person mailing paper or fee

John C. Smith, Registration No. 33,284  
Printed name of person mailing paper or fee

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "APPARATUS AND METHOD FOR DELIVERING INFORMATION TO AN INDIVIDUAL BASED ON LOCATION AND/OR TIME", the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s): Priority Claimed

<hr/> <input type="checkbox"/> (Number)	<hr/> <input type="checkbox"/> (Country)	<hr/> <input type="checkbox"/> (Day/Month/Year)	<hr/> <input type="checkbox"/> Yes	<hr/> <input type="checkbox"/> No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<hr/> <input type="checkbox"/> (Application Serial #)	<hr/> <input type="checkbox"/> (Filing Date)	<hr/> <input type="checkbox"/> (Status)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code

and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint John C. Smith, U.S.P.T.O. Registration Number 33,284, as my attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Send correspondence to John C. Smith, 4800 N. Federal Highway, Suite A-207, Boca Raton, Florida 33431 and direct all telephone calls to John C. Smith (561) 394-4666.

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FULL NAME OF INVENTOR: David Domnitz

INVENTORS SIGNATURE: David Domnitz DATE: 4-7-00

RESIDENCE: 5700 NW 54th Way, Tamarac, FL 33319

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: Same As Above

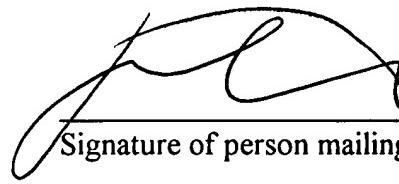
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John C. Smith, Registration No. 33,284  
Printed name of person mailing paper or fee



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Signature of person mailing paper or fee